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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/605,602	06/28/2000	Srivatsan Parthasarathy	MS146909.1	5788
27195	7590	09/02/2004	EXAMINER	
AMIN & TUROCY, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			VAUGHAN, MICHAEL R	
			ART UNIT	PAPER NUMBER
			2131	

DATE MAILED: 09/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/605,602	PARTHASARATHY ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Michael R Vaughan	2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 07 June 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-24 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

**Detail Office Action**

Claims 1-24 have been fully reconsidered in the light of the remark filed 6-7-04 and are pending.

***Response to Amendment***

Amendment to claim 9 warrants the withdrawal of the previous objection.

***Response to Arguments***

Applicant's arguments filed 6-7-04 have been fully considered but they are not persuasive. Applicant alleges on page 7 of the remarks that Renaud fails to teach or suggest "providing the assembly with a manifest that contains the public key and encrypting the hash of the assembly with the private key". After a reconsideration of Renaud teaching, the Examiner respectfully disagrees and maintains that Renaud teaches or suggests both of these limitations.

In col. 1, Renaud discloses background information about the procedures he uses in his invention. Particularly, Renaud teaches the MD5 and DSA algorithms and references Schneier's book, *Applied Cryptography*, for a more details for those readers not familiar with the algorithms used. Specifically Message Digest in combination of the RSA algorithm generates a digital signature. Renaud teaches that the digital signature is constructed with a private

key (col. 1, lines 55-65). What is important about this is that the public key is used to verify the digital signature. In fact the receiver needs a public key in order to make sense of the digital signature. Renaud then teaches that the signature file, manifest, includes additional data (col. 3, lines 35-42). Renaud explicitly teaches that the digital signature is verified (col. 7, lines 23-25). The public key must be used to conduct this verification. Therefore it is clearly suggested that public key is contained with the other file identifiers because it is used to verify the digital signature and thus prove that the file came from the owner of the private key. Renaud is very clear about the use of a private and public key pair. Thus, this disputed limitation of the independent claims is in fact, taught or suggested by Renaud.

Renaud teaches in the background section, the algorithm MD5 with RSA. This is a hash, which uses the private key of a key pair. Renaud teaches in col. 3, lines 25-28, that an assembly of a file can be hashed to create an identifier. The identifier is the hash of the assembly. Using the referenced MD5 with RSA algorithms, a private key is needed to perform the hash. Thus, this disputed limitation of the independent claims is in fact, taught or suggested by Renaud.

In conclusion, Examiner maintains that the previous 35 USC §102 rejections are proper.

***Claim Rejections - 35 USC ' 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Renaud (USP 6,021,491).

As per claims 1, 12, 16, and 19, Renaud teaches:

providing a key pair having a public key and a private key (column 3, line 40);

providing the assembly with a manifest that contains the public key (column 3, lines 25-30);

hashing the assembly (column 3, line 27);

encrypting the hash of the assembly with the private key (column 3, lines 35-40); and

relating the encrypted hash to the assembly (column 3, lines 25-42).

As per claims 2, 13, and 20, Renaud teaches the step of providing a referencing assembly that references the assembly with a manifest that contains a token of the public key (column 3, lines 33-43).

As per claims 3, 14, 18, 21, and 22, Renaud teaches determining if the contents of the assembly has been modified by decoding the encrypted hash value with the public key, determining an actual hash of the contents of the assembly and comparing the decoded encrypted hash with the actual hash (column 4, lines 1-18).

As per claim 4, Renaud teaches the step of determining if the publisher of the assembly is the owner of the private key (column 4, lines 11-17).

As per claims 5, 15, and 23, Renaud teaches the step of determining if the publisher of the assembly is the original owner of the key pair comprising the step of comparing the token of the public key in the referencing assembly with the public key stored in the manifest of the assembly (column 3, lines 42-49 and column 4, lines 11-17 and column 7, lines 44-45).

As per claim 6, Renaud teaches determining if the contents of the assembly has been modified by decoding the encrypted hash value with the public key, determining an actual hash of the contents of the assembly and comparing the decoded encrypted hash with the actual hash (column 4, lines 1-18).

As per claim 7, Renaud teaches the step of determining if the publisher of the assembly is the original owner of the key pair (column 4, lines 11-17).

As per claim 8, Renaud teaches the step of determining if the publisher of the assembly is the original owner of the key pair comprising the step of storing the public key in a storage medium and comparing the public key in the storage medium with the public key in the manifest (column 3, lines 42-49 and column 4, lines 11-17 and column 7, lines 44-45).

As per claim 9, Renaud teaches an assembly including a manifest that contains a public key and a hash of the contents of the assembly encrypted by a

private key, the private key and the public key forming a key pair, the encrypted hash being referenced to the assembly (column 3, lines 30-49).

As per claim 10, Renaud teaches a referencing assembly that references the assembly, the referencing assembly including a manifest that contains a token of the public key of the assembly (column 3, lines 33-43).

As per claims 11 and 24, Renaud teaches the assembly being a dynamically linked library (column 3, line 33).

As per claim 17, Renaud teaches a binding component adapted to provide binding policy information for determining a version of an assembly that an application program will run if another assembly having the same name resides on the system (column 3, line 42).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R Vaughan whose telephone number is 703-305-0354. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael R Vaughan  
Examiner  
Art Unit 2131

MV

  
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